

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 6
 Bill Version: CSHB 172(JUD)
 (H) Publish Date: 3/26/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title "An Act relating to therapeutic courts for BRU Criminal Division; Civil Division
offenders and to the authorized number of superior court judges." Component 3rd Judicial District: Anchorage;
 Sponsor Representative Porter 4th Judicial District; Human Services
 Requester House Judiciary Committee Component No. 2261;2201;2208

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	423.9	484.4	484.4	60.6	0.0	0.0
Travel	1.4	1.6	1.6	0.2	0.0	0.0
Contractual	65.5	74.8	74.8	9.4	0.0	0.0
Supplies	5.6	6.4	6.4	0.8	0.0	0.0
Equipment	32.5					
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	528.8	567.2	567.2	70.9	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	528.8	567.2	567.2	70.9		
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	528.8	567.2	567.2	70.9	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal: ☐

POSITIONS

Full-time	5	5	5	1		
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 172 authorizes the court system to establish two pilot sites for therapeutic courts for alcohol- and drug-addicted offenders in Anchorage and Bethel. The Anchorage court would commence on the effective date of the act, and the Bethel court on January 2, 2002. The pilot programs end three years after each commences. The bill also adds two new superior court judge positions: one in Anchorage, and one in Bethel. The new judges would preside over the therapeutic courts, and also handle other matters, including criminal cases, juvenile delinquency cases, and children in need of aid cases.

Therapeutic courts are very resource intensive. Defendants who are accepted into the court agree to enter a program structured for them that is very closely monitored. The court requires defendants to make frequent appearances, and all parties, including the prosecutor, attend these court proceedings.

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 Division Attorney General's Office Date/Time 3/15/01 5:30 PM
 Approved by: Kathryn Daughhetee for Bruce M. Botelho, Attorney General Date 3/15/01
 Agency Department of Law

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BILL NO. HB 172

ANALYSIS CONTINUATION

In addition, a new superior court judge in Anchorage means another court room in which prosecutors and assistant attorneys general will need to appear on other criminal and civil matters. As a rule of thumb, the department's experience has been that it needs four attorneys for each superior court judge.

However, because the therapeutic court will theoretically be operating about one-half of the time, we estimate three attorney positions will be sufficient: two for the Criminal Division, Anchorage District Attorney's Office, and one for the Civil Division, Human Services section. One attorney will be responsible for cases before the therapeutic court, and the other two will handle other criminal and civil cases the new judge will calendar.

Beginning January 2, 2002, the Bethel therapeutic court will begin operations. The department is informed that the court system plans on replacing the current District Court judge position with the new Superior Court position. Because of this, only one new FTE attorney position will be necessary for the Bethel District Attorney's office. This position will be assigned cases that are referred to the therapeutic court. Existing staff will be able to handle the other criminal and civil cases because this is not a new and additional court room to be covered.

Using the department's FY02 standard attorney cost allocation plan, the annual cost of the positions is \$567.2 (\$141.8 x 4). This includes clerical support, communications, space, supplies, data processing, and other normal overhead expenses. The standard cost does not include one-time new equipment purchases, and \$6.5 per position is included. Proportionate support position funding is included in the standard attorney cost schedule at a rate of approximately one support position for every three professional positions. Position authorizations for the support positions are required, however, and the one FTE legal secretary position is requested, along with \$6.5 for one-time equipment costs in FY02. The Bethel attorney position is funded in FY02 for only one-half of the fiscal year due to the delayed effective date of the pilot court. It will be necessary to annualize that position in FY03.

The line-item breakdown by component follows:

Component	Position	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Criminal Division: 3rd Judicial District: Anchorage (2261)							
	100 2 FTE Attorney	242.2	242.2	242.2			
	200 1 FTE Legal Secy	0.8	0.8	0.8			
	300	37.4	37.4	37.4			
	400	3.2	3.2	3.2			
	500	19.5					
	Total 1004 General Fund	303.1	283.6	283.6	0.0	0.0	0.0
Criminal Division: 4rd Judicial District (2201)							
	100 1 FTE Attorney	60.6	121.1	121.1	60.6		
	200	0.2	0.4	0.4	0.2		
	300	9.4	18.7	18.7	9.4		
	400	0.8	1.6	1.6	0.8		
	500	6.5					
	Total 1004 General Fund	77.4	141.8	141.8	70.9	0.0	0.0
Civil Division: Human Services (2208)							
	100 1 FTE Attorney	121.1	121.1	121.1			
	200	0.4	0.4	0.4			
	300	18.7	18.7	18.7			
	400	1.6	1.6	1.6			
	500	6.5					
	Total 1004 General Fund	148.3	141.8	141.8	0.0	0.0	0.0